

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:12-CR-00206-F-1

UNITED STATES OF AMERICA,

v.

MARGO JOANN LEWIS,

Defendant.

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ORDER

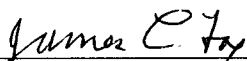
This matter is before the court on Defendant's Motion for Reconsideration Reduction [DE-24]. In her motion, Defendant requests a reduction in her sentence based on rehabilitation programs she has completed while incarcerated.

In support of her claim for a sentence reduction, Defendant cites to *Pepper v. United States*, — U.S. —, 131 S.Ct. 1229, 179 L.Ed.2d 196 (2011). *Pepper* held that "when a defendant's sentence has been set aside on appeal and his case remanded for resentencing, a district court may consider evidence of a defendant's rehabilitation since his prior sentencing and that such evidence may, in appropriate cases, support a downward variance from the advisory Guidelines range." 131 S.Ct. at 1241. In this case, *Pepper* is not applicable because Defendant's sentence has not been set aside.

In light of the foregoing, Defendant's Motion for Reconsideration Reduction [DE-24] is DENIED.

SO ORDERED.

This, the 6th day of March, 2014.



JAMES C. FOX
Senior United States District Judge